

Statements by the United States at the Meeting of the WTO Dispute Settlement Body

Geneva, April 21, 2026

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
 1. UNITED STATES – ANTI-DUMPING MEASURES ON CERTAIN HOT-ROLLED STEEL PRODUCTS FROM JAPAN: STATUS REPORT BY THE UNITED STATES (WT/DS184/15/ADD.269)
 - The United States provided a status report in this dispute on April 9, 2026, in accordance with Article 21.6 of the DSU.
 - The United States has addressed the DSB’s recommendations and rulings with respect to the calculation of anti-dumping margins in the hot-rolled steel anti-dumping duty investigation at issue.
 - With respect to the recommendations of the DSB that have yet to be addressed, the U.S. Administration will confer with the U.S. Congress with respect to the appropriate statutory measures that would resolve this matter.

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
 2. UNITED STATES – SECTION 110(5) OF THE US COPYRIGHT ACT:
STATUS REPORT BY THE UNITED STATES (WT/DS160/24/ADD.244)
- The United States provided a status report in this dispute on April 9, 2026, in accordance with Article 21.6 of the DSU.
 - The U.S. Administration will continue to confer with the European Union, and with the U.S. Congress, in order to reach a mutually satisfactory resolution of this matter.

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
3. EUROPEAN COMMUNITIES - MEASURES AFFECTING THE APPROVAL AND MARKETING OF BIOTECH PRODUCTS: STATUS REPORT BY THE EUROPEAN UNION (WT/DS291/37/ADD.207)
 - The United States thanks the European Union (“EU”) for its status report and its statement today.
 - We continue to engage with the EU on these issues, and we continue to provide recommendations as to how the EU can address the undue delays in its approval procedures.
 - The United States has described these problems in detail and noted our concerns with the EU’s biotech approval procedures monthly in the DSB and during the semiannual US-EU biotech consultations, the most recent of which occurred in early February.
 - We note that the European Commission has so far only authorized two products this year.
 - We again request that the EU move to issue final approvals for all products that have completed science-based risk assessments at the EFSA, including those products that are with the Standing Committee and Appeals Committee.

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
 4. UNITED STATES – ANTI-DUMPING AND COUNTERVAILING MEASURES ON LARGE RESIDENTIAL WASHERS FROM KOREA: STATUS REPORT BY THE UNITED STATES (WT/DS464/17/ADD.91)
 - The United States provided a status report in this dispute on April 9, 2026, in accordance with Article 21.6 of the DSU.
 - On May 6, 2019, the U.S. Department of Commerce published a notice in the U.S. Federal Register announcing the revocation of the antidumping and countervailing duty orders on imports of large residential washers from Korea (84 Fed. Reg. 19,763 (May 6, 2019)). With this action, the United States has completed implementation of the DSB recommendations concerning those antidumping and countervailing duty orders.
 - The United States will consult with interested parties on options to address the recommendations of the DSB relating to other measures challenged in this dispute.

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
 5. UNITED STATES – CERTAIN METHODOLOGIES AND THEIR APPLICATION TO ANTI DUMPING PROCEEDINGS INVOLVING CHINA: STATUS REPORT BY THE UNITED STATES (WT/DS471/17/ADD.83)
 - The United States provided a status report in this dispute on April 9, 2026, in accordance with Article 21.6 of the DSU.
 - As explained in that report, the United States will consult with interested parties on options to address the recommendations of the DSB.

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
 6. INDONESIA – IMPORTATION OF HORTICULTURAL PRODUCTS, ANIMALS AND ANIMAL PRODUCTS: STATUS REPORT BY INDONESIA (WT/DS477/21 – WT/DS478/22/ADD.78)
 - The United States continues to have concerns with Indonesia’s compliance with the DSB’s recommendations.
 - However, we look forward to Indonesia implementing the commitments contained in the Agreement on Reciprocal Trade signed February 19, 2026, through which Indonesia has committed to address U.S. concerns with its import licensing regimes, including commodity balance requirements.

2. INDIA – TARIFF TREATMENT ON CERTAIN GOODS IN THE INFORMATION AND COMMUNICATIONS TECHNOLOGY SECTOR

2.1 JOINT REQUEST BY THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU AND INDIA FOR A DECISION BY THE DSB (WT/DS588/20)

- The United States welcomes the efforts of Chinese Taipei and India to continue their engagement in this dispute. The United States supports efforts to continue dialogue with the aim of achieving a mutually agreed solution.
- The United States takes note of the draft decision circulated in document WT/DS588/20.
- We understand that the parties seek to preserve their existing rights with respect to the panel report under the DSU to enable time for further consultation.
- The DSB through the operative language in the draft decision would agree to consider the panel report, if proposed by a party for adoption in the future, under the negative consensus decision rule, unless either party were to appeal the panel report first.
- On this basis, the United States can support the parties' efforts and join a consensus to adopt the draft decision.

3. APPELLATE BODY APPOINTMENTS: PROPOSAL BY SOME WTO MEMBERS
(WT/DSB/W/609/REV.26)

- The United States does not support the proposed decision.
- Our fundamental concerns with WTO dispute settlement have not been addressed and, as we have documented, the manner in which it departed from the plain text agreed by Members has exacted real costs on U.S. interests.¹
- In particular, the dispute settlement process was never intended to make new rules for WTO Members, which would “add to or diminish the rights and obligations provided in the covered agreements” contrary to Article 3.2 of the Dispute Settlement Understanding. These agreed limitations remain vital to U.S. sovereignty because they ensure the United States does not become subject to rules that the U.S. Congress has not approved.
- The United States invested considerable effort with Members over a span of years to identify appropriate reforms at the WTO.
- Despite this engagement, WTO Members have held vastly different perspectives on the role of WTO dispute settlement in today’s world and the reforms that are needed.
- Before any engagement would be productive, Members would need to reflect on whether it is possible to achieve a reformed system.
- We also question the value of repeating this agenda item, as we have explained previously. Not only does the proposal not address these fundamental problems that the United States has identified,² the proposal seeks to restore the conditions that produced those problems in the first place and suggests a lack of seriousness about fixing what is necessary to a viable, reformed WTO dispute settlement system.

¹ U.S. Trade Representative, The World Trade Organization and U.S. Interests *in* 2025 Trade Policy Agenda and 2024 Annual Report (February 2025), *available at* <https://ustr.gov/sites/default/files/files/reports/2025/2025%20Trade%20Policy%20Agenda%20WTO%20at%2030%20and%202024%20Annual%20Report%2002282025%20--%20FINAL.pdf>.

² U.S. Trade Representative Report on the Appellate Body of the World Trade Organization (February 2020), *available at* <https://ustr.gov/sites/default/files/enforcement/DS/USTR.Appellate.Body.Rpt.Feb2020.pdf>.